

Exhibit 3

Supplemental Expert Report of Ron Schnell, dated
February 9, 2024

FILED UNDER SEAL

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

EVERETT BLOOM; JACK GRAHAM;
and DAVE LINDHOLM, on
behalf of themselves, and those similarly
situated,

Plaintiffs,

v.

ZUFFA, LLC; ENDEAVOR
STREAMING, LLC; and ENDEAVOR
GROUP HOLDINGS, INC.

Defendants.

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Case No. 2:22-cv-00412-RFB-BNW

**REPLY EXPERT REPORT OF RON SCHNELL
FEBRUARY 9, 2024**

I. INTRODUCTION

1. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED].

4. [REDACTED]

II. SPECIFIC OPINIONS RELATED TO THE HEROLD REPLY REPORT

5. [REDACTED]

6. In paragraph 8, Ms. Herold states, "...Mr. Schnell fails to acknowledge that Meta's pixel data directly proves the alleged data transmissions for two of the three plaintiffs...Thus, Meta's pixel data moots the individualized questions Mr. Schnell raises by provided a single piece of evidence that proves whether the Meta pixel and related cookies transmitted PII to Meta." If Ms. Herold is talking about third-party cookies (c_user and m_page_voice), there is no evidence in the Meta Production that either of these cookies were transmitted to Meta. Specifically, the Meta Production contains no reference to c_user or m_page_voice cookies/data, and Mr. Wooldridge, in the Wooldridge Deposition, confirms that Meta does not store Facebook ID alongside event data. As confirmed at the Wooldridge Deposition, the _fbp cookie does *not* contain the Facebook ID.

7. [REDACTED]

8. In paragraph 9(b), Ms. Herold references my discussion of the Meta Production showing no evidence that `c_user` or `m_page_voice` cookies were used. Ms. Herold states, “(1) Meta explicitly stated all user identifiers in the production were hashed to anonymize the data and (2) Meta produced the data in response to a query based on the Plaintiffs’ Facebook IDs, which means Meta had to be able to associate the hashed identifiers with the Plaintiffs’ Facebook IDs.” First, it’s important to understand my opinion from my opening Declaration, “By reviewing the data, I found that the `c_user` and `m_page_voice` cookies were not part of what Meta attempted to use in order to identify (in some way) the person visiting the website.” (emphasis intact). It is clear from this statement that I was talking about how Meta attempted to identify the user at the time the user visited the Zuffa website. What Ms. Herold is describing is a reason Meta would have used the Facebook ID at the time they created the *production*. When it comes to the Meta Pixel Data themselves, Mr. Wooldridge explained in the Wooldridge Deposition that the `c_user` cookie (if it’s transmitted at all), is not a *part of* the pixel data.

9. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

10. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

11. Specifically, paragraph 51 discusses first-party cookies in response to a paragraph where I am discussing third-party cookies. As I stated originally, the Meta Production contains no evidence of the c_user cookie, and Mr. Wooldridge confirmed at the Wooldridge Deposition that this cookie was not used as a match key for the Plaintiffs in this case.

12. Ms. Herold's paragraphs 52 and 53 quote the Wooldridge Deposition regarding the storing of separable IDs as opposed to Facebook IDs. It's important to note that there are *no third-party cookies at all* shown in the Meta Production in any entry with a Fight Pass video URL for any of the Plaintiffs.

13. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

15. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16. In paragraph 71, Ms. Herold discusses my rebuttal of her opining that the Facebook ID is being transmitted in pixel data. She admits that she erred in her report, in the section I rebut, but then goes on to critique my rebuttal by both shifting her argument and using Mr. Wooldridge's testimony. If her original report had discussed the "fr" cookie, as opposed to the Facebook ID, I would have explained how the fr cookie does not ever contain an unencoded Facebook ID, and may not contain any Facebook ID at all.

17. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

18. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Ronald S. Schnell

February 9, 2024